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J1041 U.S. PTO

SD6853/S96530

July 5, 2001

Express Mail No.: EL026585914US

ASSISTANT COMMISSIONER FOR PATENTS  
BOX PATENT APPLICATION  
WASHINGTON, D.C. 20231

J1000 U.S. PTO  
09/900004  
07/05/01

**UTILITY PATENT APPLICATION TRANSMITTAL**  
**Under 37 CFR 1.53(b)**

Transmitted herewith for filing is the patent application of

INVENTOR(S): Thor Bakke and Charles T. Sullivan

FOR: Vertically-Tapered Optical Waveguide and Optical Spot  
Transformer Formed Therefrom

**I. APPLICATION ELEMENTS**

1. ☒ Fee Transmittal Form (original + duplicate)
2. ☒ Specification  
Total Pages 21
3. ☒ Drawings  
Total Sheets 3
4. ☒ Oath or Declaration (with Power of Attorney) Total Pages 2
  - a. ☒ Newly Executed
  - b. ☐ Copy from Prior Application  
(Continuation or Divisional)  
☐ Deletion of Inventors  
Signed Statement Attached Deleting Inventor(s) named in  
prior Application. 37 CFR 1.63(d)(2) and 1.33(b).
5. ☐ Incorporation by Reference (if Box 4b is checked). The entire  
disclosure of the prior application(s) from which a copy of the  
Oath or Declaration is supplied under Box 4b, is considered as  
being part of the disclosure of the accompanying application and  
is hereby incorporated by reference therein.
6. ☐ Microfiche Computer Program (Appendix)

## II. ACCOMPANYING APPLICATION PARTS

7. ☐ Assignment Papers (cover sheet and document(s))
8. ☐ 37 CFR 3.73(b) Statement (where there is an assignee) ☒ Power of Attorney (with the Declaration)
9. ☒ Information Disclosure Statement (IDS)/PTO-1449 ☒ Copies of IDS Citations
10. ☐ Preliminary Amendment
11. ☒ Return Receipt Postcard (Itemized)
12. ☐ Other

## III. IF A CONTINUING APPLICATION

☐ Continuation ☐ Divisional ☐ Continuation-in-Part (CIP)

of prior application No. \_\_\_/\_\_\_\_\_

## IV. CORRESPONDENCE ADDRESS

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Dated: July 5, 2001

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Albuquerque, NM 87185-0161  
Telephone: (505) 845-8628

### CERTIFICATION UNDER 37 CFR 1.10

I hereby certify that this New Application Transmittal and the documents referred to as enclosed therein are being deposited with the U. S. Postal Service on the 5th day of July, 2001, in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number EL026585914US, addressed to the: Assistant Commissioner for Patents, Box Patent Application, Washington, D.C. 20231.

Marilynn A. Gabel  
Marilynn A. Gabel

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# FEE TRANSMITTAL FOR FY 2001

Patent fees are subject to annual revision.  
Small Entity payments must be supported by a small entity statement.  
Otherwise large entity fees must be paid. See Forms PTO/SB/09-12.

**Complete if Known**

Application Number

Filing Date

July 5, 2001

First Named Inventor

Bakke, et al

Examiner Name \_\_\_\_\_

Group / Art Unit

SD6853/S96530

<b>TOTAL AMOUNT OF PAYMENT</b>	<b>(\$)<i>908.00</i></b>
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**METHOD OF PAYMENT** (check one)

**The Commissioner is hereby authorized to charge**

1. ☒ Indicated fees and credit any over payments to:

Deposit Account Number **19-0131**

Deposit Account Name **Sandia National Labs**

☐ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

**2. Payment Enclosed:**

☐ ☐ Check ☐ Money Order ☐ Other

### FEE CALCULATION

### 1. BASIC FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	710	201	355	Utility filing fee	710
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	

SUBTOTAL (1)	\$ 710.00
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## 2. EXTRA CLAIM FEES

	Extra Claims		Fee from below	Fee Paid
Total Claims	31	-20**≈	11	X 18 = 198
Independent Claims	3	- 3**≈	0	X 0 = 0
Multiple Dependent				=

**\*\*or number previously paid, if greater; For Reissues, see below.**

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	80	202	40	Independent claims in excess of 3
104	270	204	135	Multiple dependent claim, if not paid
109	80	209	40	**Reissue independent claims over original patent
110	18	210	9	**Reissue claims in excess of 20 and over original patent

**SUBTOTAL (2)** **(\$)198**

**FEE CALCULATION (continued)**

### 3. ADDITIONAL FEES

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge – late filing fee or oath	
127	50	227	25	Surcharge – late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840	11	1,840	Requesting publication of SIR after Examiner	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	240	126	240	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	710	246	355	Filing a submission after final refection (37 CFR 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR 1.129(b))	
Other fee (specify) _____					
Other fee (specify) _____					

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)	(\$)
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## SUBMITTED BY

Typed or Printed Name	John P. Hohimer
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**Signature**

Date \_\_\_\_\_

7/5/01

Complete (if applicable)

Reg. Number	39,226
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Reg. Number	55,225
Deposit Account User ID	19-0131

**Burden Hour Statement:** This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.**

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<b>REQUEST AND CERTIFICATION UNDER</b>  <b>35 U.S.C. 122(b)(2)(B)(i)</b>	First Named Inventor		Thor Bakke
	Title	Vertically-Tapered Optical Waveguide and Optical Spot Transformer Formed Therefrom	
	Atty Docket Number		SD6853/S96530

I hereby certify that the invention disclosed in the attached application has not and will not be the subject of an application filed in another country, or under a multilateral agreement that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

July 5 2001  
Date

John P. Hohimer  
Signature

John P. Hohimer, Reg. No. 39,226  
Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Application may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents Washington, DC 20231.